IN THE HIGH COURT OF KERALA AT ERNAKULAM

PRESENT :

THE HONOURABLE MR. JUSTICE K.BALAKRISHNAN NAIR
&
THE HONOURABLE MR. JUSTICE K.P.BALACHANDRAN

THURSDAY, THE 22ND NOVEMBER 2007 / 1ST AGRAHAYANA 1929

WP(C).No. 31309 of 2007(B)

PETITIONER:

RAHAMATH, AGED 42 YEARS,
W/O.RAHAMATHULLA, RIYAS MANZIL,
VELLEETHARAYIL, PALACE WARD, ALAPPUZHA.

BY ADV. SRI.K.S.HARIHARAPUTHRAN
SRI.GEORGE MATHEW

RESPONDENTS:
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1. STATE OF KERALA, REP. BY SECRETARY
HOME, GOVERNMENT SECRETARIAT, THIRUVANANTHAPURAM.

2. DISTRICT SUPERINTENDENT OF POLICE,
ALAPPUZHA.

3. DEPUTY SUPERINTENDENT OF POLICE,
ALAPPUZHA.

4. CIRCLE INSPECTOR OF POLICE,
ALAPPUZHA NORTH POLICE STATION,
ALAPPUZHA.

5. SUB INSPECTOR OF POLICE,
ALAPPUZHA NORTH POLICE STATION,
ALAPPUZHA.

6. PETER BAINS, PANACKAL HOUSE,
(RETD. S.I. OF POLICE) CIVIL STATION WARD,
ALAPPUZHA.

7. BONY.P.B., PANACKAL HOUSE,
CIVIL STATION WARD, ALAPPUZHA.

Government Pleader MR. PA SALIM

THIS WRIT PETITION (CIVIL) HAVING BEEN FINALLY HEARD ON 22/11/2007, THE COURT ON THE SAME DAY DELIVERED THE FOLLOWING:

APPENDIX

PETITIONER'S EXHIBITS :

EXT.P1 TRUE COPY OF THE ORDER DATED 12.09.2007

EXT.P2 TRUE COPY OF THE REPRESENTATION SUBMITTED BY THE PETITIONER TO THE 4TH RESPONDENT ON 7.10.2007

EXT.P3 TRUE COPY OF THE RECEIPT ISSUED FROM THE 4TH RESPONDENT'S OFFICE EVIDENCING FILING OF EXT.P2

EXT.P4 TRUE COPY OF THE PETITION SUBMITTED BEFORE R2 DT.12.10.2007

TRUE COPY

PA TO JUDGE

K.BALAKRISHNAN NAIR & K.P.BALACHANDRAN, JJ.

Writ Petition (C) No.31309 of 2007-B

Judgment

Balakrishnan Nair, J.

The petitioner has approached this Court, alleging that respondents 3 to 5 are harassing her at the instance of respondents 6 and 7. The 6th respondent is a retired SI of Police and the 7th respondent is his son. The petitioner's husband is working abroad. He arranged a visa for the 7th respondent and on the strength of it, he went abroad also. But, on finding that the working conditions were not satisfactory, he resigned the job and came back. According to respondents 6 and 7, the job offered to the 7th respondent was not as per the promise held out by the petitioner's husband. Therefore, they are demanding the money expended by them for obtaining the visa. Since the 6th respondent is a retired SI of Police, using his influence, he is harassing the petitioner. Hence this Writ Petition, seeking appropriate reliefs.

2. The learned Government Pleader upon instruction, submitted that the 6th respondent filed a complaint against the petitioner and her husband, alleging that they cheated him. They took Rs.95,000/- from him, offering a good job to the 7th respondent, but they have not kept their promise. Therefore,

the 6th respondent requested the police to interfere in the matter so that he will get the money back. The learned Government Pleader also submitted that the allegations of harassment alleged against the police are unfounded.

3. If any crime is registered against the petitioner, the Police can proceed against her in accordance with law. If her presence is required in connection with the enquiry into any petition or some investigation, she may be summoned by issuing notice under Section 160 Cr.P.C. The submission made by the learned Government Pleader, on behalf of the Police that they are not harassing the petitioner, is recorded and the Writ Petition is disposed of.

K.BALAKRISHNAN NAIR,JUDGE

22.11.2007 **K.P.BALACHANDRAN, JUDGE**

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